

EXHIBIT 2

[Filed Under Seal]

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

NIKKI BOLLINGER GRAE, Individually and)
on Behalf of All Others Similarly Situated,)

Plaintiff,)

vs.)

CORRECTIONS CORPORATION OF)
AMERICA, et al.,)

Defendants.)

Civil Action No. 3:16-cv-02267

Honorable Aleta A. Trauger

Magistrate Judge Jeffrey S. Frensley

DEMAND FOR JURY TRIAL

**DEFENDANTS' DISCLOSURES PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 26(A)(2)(C)**

Pursuant to Rule 26(a)(2)(C) of the Federal Rules of Civil Procedure and the Local Rules of this Court, Defendants CoreCivic, Inc., (“CoreCivic”), Damon T. Hininger, David M. Garfinkle, Todd J. Mullenger and Harley G. Lappin (collectively, “Defendants”), by and through their undersigned counsel, make the following disclosures pursuant to Federal Rule of Civil Procedure 26(a)(2)(C). Defendants reserve the right to amend, modify or supplement this disclosure prior to trial should further information become available after the date of this disclosure.

Defendants may present testimony under Federal Rules of Evidence 702, 703 and 705 from William Dalius, Harley Lappin, Don Murray, and Kim White. Set forth below is a description of each witness’s qualifications, the subject matter of each witness’s expected testimony, and a summary of the facts and opinions to which each may be expected to testify at trial.

A. William Dalius

To the extent that the Court deems any portion of Mr. Dalius’s testimony to be expert opinion testimony under the Federal Rules of Evidence, Defendants disclose him as a potential expert. Mr. Dalius has been deposed by Plaintiffs.

Mr. Dalius is CoreCivic’s Vice President, Facility Operations, Business Unit 1. Mr. Dalius holds a bachelor’s degree in business administration from Bloomsburg State College. Additionally, he has completed training courses with Aspen Institute (Justice and Society), the National Institute of Corrections’ Executive Excellence Program, BOP’s Leadership Enhancement and Development Program, and FEMA Emergency Management Institute. Mr. Dalius has 30 years of corrections experience with the Federal Bureau of Prisons (“BOP”), from which he retired as Administration Division Assistant Director & Chief Financial Officer. He also served as associate warden and warden at multiple BOP facilities.

1. Subject Matter of Testimony

Mr. Dalius is expected to testify about the BOP's and CoreCivic's operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Dalius is also expected to testify about components of the BOP's budget, including capital costs, real estate costs, facility operating costs, and employee compensation, pensions, and benefits. Mr. Dalius may also testify about his expectations for the renewal and retention of CoreCivic's BOP contracts.

2. Summary of Facts and Opinions

Mr. Dalius may testify that CoreCivic's operational performance was similar to and compared favorably with the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Dalius may also testify about CoreCivic's compliance with contractual requirements, company standards, and third-party standards in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Dalius may also testify to his favorable opinions regarding the overall quality and cost-effectiveness of CoreCivic's operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Dalius may also testify about challenges to the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Dalius may also testify that CoreCivic delivers comparable correctional services at a lower cost than the BOP, and describe the various cost components supporting that opinion. Mr. Dalius may also testify that he expected CoreCivic's BOP contracts to be renewed based on the knowledge and experience he gained from serving as a senior executive with the BOP and CoreCivic.

B. Harley Lappin

To the extent that the Court deems any portion of Mr. Lappin's testimony to be expert opinion testimony under the Federal Rules of Evidence, Defendants disclose him as a potential expert. Mr. Lappin has been deposed by Plaintiffs.

Mr. Lappin has 32 years of correctional experience. He holds a master's degree in criminal justice from Kent State University and an undergraduate degree from Indiana University. He retired from CoreCivic in 2017, having served as Executive Vice President of Operations since 2011, and is currently a member of the Company's Board of Directors. Prior to joining CoreCivic, Mr. Lappin spent 25 years with the BOP, most recently as Director. In that role, Mr. Lappin led the BOP and provided oversight for 116 federal facilities, including both publicly and privately operated facilities. Mr. Lappin has received numerous awards recognizing his corrections expertise, including the BOP's Excellence in Prison Management award (2000); the Attorney General's Award for Excellence in Management (2001); and the Presidential Rank Award of Meritorious Executive (2004). Most recently, he received the American Correctional Association's E.R. Cass Award for Correctional Achievement (2010), the highest honor bestowed by that organization. Mr. Lappin serves or has recently served in leadership roles for numerous professional organizations.

1. Subject Matter of Testimony

Mr. Lappin is expected to testify about the BOP's and CoreCivic's operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Lappin may also testify about his expectations for the renewal and retention of CoreCivic's BOP contracts.

2. Summary of Facts and Opinions

Mr. Lappin may testify that CoreCivic's operational performance was similar to and compared favorably with the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Lappin may also testify about CoreCivic's compliance with contractual requirements, company standards, and third-party standards in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Lappin may also testify to his favorable opinions regarding the overall quality and cost-effectiveness of CoreCivic's operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Lappin may also testify about challenges to the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Mr. Lappin may also testify that CoreCivic delivers comparable correctional services at a lower cost than the BOP, and describe the various cost components supporting that opinion. Mr. Lappin may also testify that he expected CoreCivic's BOP contracts to be renewed based on the knowledge and experience he gained from serving as a senior executive with the BOP and CoreCivic.

C. Don Murray

To the extent that the Court deems any portion of Dr. Murray's testimony to be expert opinion testimony under the Federal Rules of Evidence, Defendants disclose him as a potential expert. Although Dr. Murray has been listed on Defendants' initial disclosures since February 23, 2018, Plaintiffs elected not to take his deposition.

Don Murray is CoreCivic's Vice President of Quality Assurance. He holds a doctorate in psychology from West Virginia University, a master's degree in psychology from Radford College, and a bachelor's degree in psychology, cum laude, from West Virginia Wesleyan

College. Dr. Murray joined CoreCivic in 2004 as director of Addictions Treatment and Behavioral Programs. He was promoted to Managing Director of Quality Assurance in 2005. In that role, Dr. Murray helped develop and implement companywide internal audit and compliance strategies that reflect audit industry best practices. In addition, he has assisted multiple CoreCivic facilities in attaining accreditation by the American Correctional Association (“ACA”). Prior to joining CoreCivic, Dr. Murray served over 22 years with the BOP, where he held multiple positions of progressively increasing responsibility at the facility, regional and national levels. He received numerous awards for his BOP service, including the Director’s Special Recognition Award. Dr. Murray is a member of several professional associations, including the Institute of Internal Auditors (IIA) and the ACA, where he has served on numerous industry-wide committees.

1. Subject Matter of Testimony

Dr. Murray is expected to testify about the BOP’s and CoreCivic’s operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Dr. Murray is also expected to testify about the design and implementation of CoreCivic’s Quality Assurance Program and operations of the Quality Assurance Division.

2. Summary of Facts and Opinions

Dr. Murray may testify that CoreCivic’s operational performance was similar to and compared favorably with the BOP’s operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Dr. Murray may also testify about CoreCivic’s compliance with contractual requirements, company standards, and third-party standards in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Dr. Murray may also testify to his favorable opinions regarding the overall quality and cost-effectiveness of CoreCivic’s operations in the

areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Dr. Murray may also testify about challenges to the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Dr. Murray may also testify that CoreCivic's Quality Assurance Division conducted effective audits of CoreCivic's facilities to ensure that they complied with accreditation standards and delivered high quality services.

D. Kim White

To the extent that the Court deems any portion of Ms. White's testimony to be expert opinion testimony under the Federal Rules of Evidence, Defendants disclose her as a potential expert. Ms. White has already been deposed by Plaintiffs.

Ms. White holds a bachelor's degree in corrections and criminal justice and a master's degree in corrections, criminology, and juvenile justice, both from Kent State University. She has also completed Harvard University's Executive Education Program for senior managers in government and the University of Michigan's Ross School of Business' Advanced Human Resource Executive Program. Ms. White was CoreCivic's Executive Vice President, Human Resources from 2015 until her retirement in 2019. She was responsible for a number of employee-centered functions at CoreCivic, including talent management and acquisition, compliance, organizational development, compensation and benefits, employee relations, and learning and development. She previously served as Senior Vice President, Human Resources, and Vice President, Correctional Programs, where she oversaw inmate reentry programs, along with operational staffing, classification and security practices. She joined CoreCivic in 2012 after serving 26 years with the BOP. During her time with the BOP, Ms. White served as a Warden, Regional Director, and as Assistant Director, Human Resource Management Division, where she had oversight for the hiring, training and retention of the BOP's 38,000 employees. In

2007, White received the Presidential Rank Award of Meritorious Executive for her leadership with the BOP.

1. Subject Matter of Testimony

Ms. White is expected to testify about the BOP's and CoreCivic's operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Ms. White may also testify about her expectations for the renewal and retention of CoreCivic's BOP contracts based on her experience serving as a senior executive with both the BOP and CoreCivic.

2. Summary of Facts and Opinions

Ms. White may testify that CoreCivic's operational performance was similar to and compared favorably with the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Ms. White may also testify about CoreCivic's compliance with contractual requirements, company standards, and third-party standards in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Ms. White may also testify to her favorable opinions regarding the overall quality and cost-effectiveness of CoreCivic's operations in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Ms. White may also testify about challenges to the BOP's operational performance in the areas of correctional facility management, oversight, staffing, security, and related policies and procedures. Ms. White may also testify that she expected CoreCivic's BOP contracts to be renewed based on the knowledge and experience she gained from serving as a senior executive with the BOP and CoreCivic.

DATED: August 7, 2020

Respectfully submitted:

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CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2020, this notice was served by email on the following counsel for Plaintiff:

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